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**UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

**DUANE JOHNSON,** )  
 )  
 )  
 **Plaintiff,** )  
 )  
 **v.** )  
 )  
 **UNITED STATES OF AMERICA,** )  
 )  
 **Defendant.** )

**No. C-07-3563-EDL**

**STIPULATION FOR DISMISSAL  
and [PROPOSED] ORDER**

Plaintiff, Duane Johnson and Defendant, United States of America., pursuant to Rule 41(a)(1) of the Fed.R.Civ.P. hereby Stipulate to Dismissal of this action, with prejudice, each party to bear its own costs, including any attorney's fee.

SCOTT SCHOOLS  
United States Attorney

Dated: October 3, 2007

/s/ Cynthia Stier  
CYNTHIA STIER  
Assistant United States Attorney  
Tax Division

Attorneys for United States

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*Stipulation for Dismissal and  
[Proposed] Order,  
C-07-3563-EDL*

1 Dated: October 3, 2007

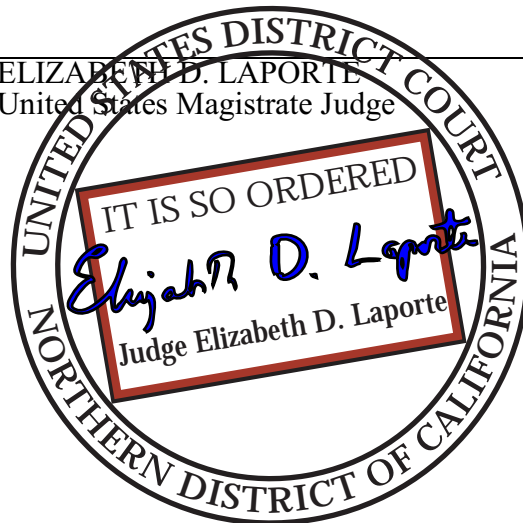
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Attorney for Plaintiff

8 **ORDER**

9 Pursuant to the Stipulation for Dismissal filed by the Plaintiff, Duane Johnson and  
10 Defendant, United States of America, **IT IS HEREBY ORDERED** this action is dismissed with  
11 prejudice, each party to bear its own costs, including any attorney's fee.

12 Dated: October 9, 2007

13 ELIZABETH D. LAPORTE  
United States Magistrate Judge



28 *Stipulation for Dismissal and*  
*[Proposed] Order,*  
*C-07-3563-EDL*